

BASIS FOR THE AMENDMENT

Claims 26-40 are active in the present application. Claims 1-25 have been canceled. Support for new Claim 26 is found in original Claim 1. Support for new Claim 27 is found in original Claim 3. Support for new Claim 28 is found in original Claim 4. Support for new Claim 29 is found in original Claim 7. Support for new Claim 30 is found on page 14, line 6. Support for new Claim 31 is found on page 14, line 7. Support for new Claim 32 is found throughout the specification (e.g., page 8, lines 21-23). Support for new Claims 33-35 is found in original Claim 1. Support for new Claims 36-39 is found on page 19, lines 1-6. Support for new Claim 40 is found in the Examples wherein the body or crystal is described as one prepared by molding a powder. There is no indication that the body or crystal is connected to a substrate. The specification has been amended in the Title and to replace the term “vapor deposited material” with “vapor deposition material.” No new matter is believed to have been added by this amendment.

REMARKS

The present application is a Continuation application of U.S. Serial No. 09/901,908. New Claims 26-35 correspond with Claims 1, 3, 4, 7, 26-27 and 35-39 of the parent application. Claims 36-40 are drawn to subject matter not previously prosecuted in the parent application.

Claim 26 is drawn to a vapor deposition material wherein the fluoride layers are of formula MO_xF_y . The fluoride layer of the claimed vapor deposition material may be formed by reaction between a fluoridation agent such as HF, BF_3 , SbF_4 , or SF_4 (page 9, lines 9-12) and a material. The reaction of the fluoridation agent with the material that makes up the polycrystalline body, sintered body, or single crystal (which may be one or more of, for

example, MgO, CaO, SrO, BaO, alkaline earth composite oxides, rare earth oxides and composite oxides of alkaline earth oxides and rare earth oxides) permits formation of the MO_xF_y fluoride layer where M may be, *inter alia*, Mg, Ca, Sr or Ba.

The presently claimed vapor deposition material has a fluoride layer that must contain an oxyfluoride material. Oxygen is required to be a part of the fluoride layer since X in the formula MO_xF_y must be greater than 0 and less than 2. Likewise, fluorine must be present since Y must be greater than 0 or less than 4. Claims 36-37 limit the formula to those materials wherein X is greater than or equal to 0.25 or 0.5 and less than 2. New Claims 38-39 require that Y is at least one or 1.25.

Claims 1, 3-4, 35 and 37 (corresponding to present Claims 26-28, 32 and 34) were rejected as anticipated by a patent to Konishi (U.S. 5,891,531) in parent application 09/901,908. The Konishi patent describes a process for producing thin films of a fluoride. The Office has asserted that the substrate materials disclosed in the Konishi patent (column 10, lines 15-17) include materials such as MgO, etc. The Office noted that the fluoride layer of Konishi is prepared by reacting a gaseous fluoridating agent such as NF_3 , SF_6 or CF_4 with the gas of a volatile organometallic compound (paragraph 3 of the Office Action of April 4, 2003 in 09/901,908).

Applicants submit that Claim 26 is not anticipated or rendered obvious by the disclosure of the Konishi patent. The fluoride layer of the Konishi patent is formed by reacting a gaseous fluoridating agent with the gas of a volatile organometallic compound (see Abstract). The prior art process yields a thin film of fluoride which “contains very little impurities such as carbon, oxygen and organic substances” (see Abstract; column 4, lines 2-3; column 5, lines 10-11; column 8, lines 31-33; column 8, lines 49-52; column 10, lines 28-29; column 11, lines 7-8; and column 12, line 34).

The devices prepared as described in the Konishi patent cannot anticipate or render obvious the presently claimed vapor deposition material because the prior art devices do not contain a fluoride layer containing oxygen.

Moreover, Konishi cannot render the presently claimed invention obvious in view of the fact that the patent teaches that oxygen is not a desirable component of the fluoride layer. Applicants therefore submit the present claims are not obvious or anticipated by the disclosure of the Konishi reference.

Applicants respectfully request the withdrawal of the rejections and the passage of all now pending claims to allowance.

The Office has further rejected Claims 1, 3-4 and 7-8 under the judicially created doctrine of obviousness-type double patenting in view of co-pending U.S. Application Serial No. 09/457,743 and a patent to Doi (U.S. 5,462,922). The rejection is a provisional rejection. The FPD protecting film claimed in co-pending 09/457,743 comprises a film body present on the surface of a substrate that may include materials such as MgO, CaO, etc. The presently claimed invention does not require that any of a polycrystalline body, sintered body or single crystal be present on a substrate. The presently claimed vapor deposition material does not contain all of the limitations required in the invention claimed in 09/457,743 which is an FPD protecting film. Applicants submit that the presently claimed vapor deposition material cannot be obvious in view of a protecting film that is present on the surface of a substrate. Applicants respectfully request the withdrawal of the double patenting rejection.

Claim 7 was rejected under 35 U.S.C. § 102(b) as anticipated by Betsui (JP 41-0149767A). The Office has asserted that Betsui in paragraph [0002] anticipates the FPD of Claim 7 (corresponding to present Claim 29). Applicants note that Betsui does not disclose an oxygen containing metal fluoride. Instead, Betsui discloses in paragraph [0017] the use of MgF₂ or CaF₂. Betsui cannot therefore anticipate the presently claimed invention.

New Claim 40 is drawn to a vapor deposition material wherein the polycrystalline body, sintered body, or single crystal is free of substrate.

Applicants respectfully request an action on the merits and allowance of claims.

Respectfully submitted,

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